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Date: March 20, 2008

(Signature of person mailing paper or fee)

PATENT

Paper No.

File: Schutz-P1-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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|----------------|---|---|
| Inventor       | : | Jared P. Schutz   |
| Serial No.     | : | 09/747,506  |
| Filed          | : | December 22, 2000   |
| For            | : | DIGITAL COMPUTER SYSTEM AND METHODS FOR<br>IMPLEMENTING A FINANCIAL TRANSACTION |
| Group Art Unit | : | 3621  |
| Examiner       | : | Hewitt II, Calvin L   |

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MS: Fee Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF PROFESSOR AVIEL RUBIN**  
**UNDER 37 CFR § 1.132**

1. I, Aviel Rubin, declare as follows:
2. I hold B.S., M.S., and Ph.D. degrees in Computer Science from the University of Michigan, awarded in 1989, 1991 and 1994 respectively.
3. I am a professor of Computer Science in the Whiting School of Engineering at The John Hopkins University, where I have been a faculty member since 2003. Additionally, I am Technical Director of The John Hopkins University Information Security Institute. Prior to

2002, I was an Adjunct Professor at New York University and a Security researcher at AT&T Labs.

5. I have been retained as a consultant to provide this declaration as to U.S. patent application number Ser. No. 09/747,506, titled "Digital Computer System And Methods For Implementing a Financial Transaction", herein referred to as "the '506 application". I have reviewed the above-identified patent application and the Office Action dated 09/20/07.

6. The Office Action dated 09/20/07 states, on page 7, that:

Claims 19 and 20 recite "including the step of encryption some of the data with private key to private key encryption. To one of ordinary skill, it is not clear the cryptographic method that the Applicant is referring to.

7. I respectfully disagree because my experience in teaching students and in working with those in this art evidences that one having ordinary skill would clearly understand that the terminology "private key to private key encryption" refers to what is also known as symmetric or secret key encryption," and thus would have known the cryptographic method that the Applicant is referring to.

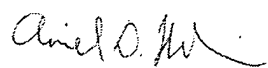
8. Also, I immediately recognize this meaning from the phrase itself, and also from its use in the '506 application, and further note that '506 application was filed with code as an appendix.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believe are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any

patent issued thereon.

Respectfully submitted,

Date: March 20, 2008

A handwritten signature in dark ink, appearing to read "Aviel O. Rubin", written in a cursive style.

Aviel Rubin